

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

INERTIALWAVE, INC., *et al.*,
Plaintiffs,

v.

SP GLOBAL, INC., *et al.*,
Defendants.

Case No. 1:22:cv-1398 (MSN/JFA)

ORDER

This matter comes before the Court upon the Report and Recommendation issued by Magistrate Judge John F. Anderson on May 31, 2023 (Dkt. No. 34) (“Recommendation”).¹ Having reviewed the record and Judge Anderson’s Recommendation, and finding good cause to do so, the Court will adopt the Recommendation. Accordingly, it is hereby

ORDERED that the Recommendation is **APPROVED** and **ADOPTED** in full; it is further

ORDERED that Plaintiff’s Motion for Default Judgment (Dkt. No. 16) is **GRANTED**; it is further

ORDERED that judgment by default in the total sum of **\$704,190.26** (\$661,192.11 in compensatory damages + \$16,998.15 in pre-judgment interest through the date of the arbitration + \$16,500.00 in attorneys’ fees for the arbitration + \$9,500.00 in arbitration costs) is entered in Plaintiff InertialWave’s favor against Defendants SP Global, Inc.; Dan Tolley; and Tom Burns; it is further

ORDERED that judgment by default in the total sum of **\$1,155,981.64** (\$1,123,151.14 in compensatory damages + \$20,330.50 in attorneys’ fees for the arbitration + \$12,500.00 in

¹ Defendants filed objections to Judge Anderson’s Report and Recommendation (Dkt. Nos. 35, 36). The Court, however, finds those objections unpersuasive and will adopt Judge Anderson’s analysis without reservation.

arbitration costs) is entered in Plaintiff Intelesense's favor against Defendants SP Global, Inc.; Dan Tolley; and Tom Burns; and it is further

ORDERED that, in addition to the sums stated above, Defendants shall pay to the Plaintiffs' attorneys' fees and costs calculated at **\$17,999.38** and costs calculated at **\$402.00**.

The Clerk of Court is directed to enter judgment as set forth above pursuant to Rule 55 of the Federal Rules of Civil Procedure.

SO ORDERED.

/s/

Hon. Michael S. Nachmanoff
United States District Judge

Alexandria, Virginia
August 1, 2023